

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.342/2001

New Delhi this the 29th day of November, 2001

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Hon'ble Shri V.K. Majotra, Member (A)

Insp. (Exe) Anil Kumar Yadav,
R/o A-6, Old Police Lines,
Rajpur Road, Delhi-54.

-Applicant

(By Advocate: Shri Bhaskar Bhardwaj proxy
for Shri Arun Bhardwaj)

Versus

1. Lt. Governor of Delhi
Raj Niwas Marg
Delhi.

2. Commissioner of Police
Police Head Quarter
I.P. Estate, New Delhi.

3. Asstt. Commissioner of Police
Head Quarter Vigilance
Delhi.

-Respondents

(By Advocate: Mrs. Jasmine Ahmed)

O R D E R

The applicant has filed this OA, inter-alia, on the ground that punishment of Censure given to the applicant was set aside in appeal but the Commissioner of Police suo moto under Rule 25(B) of Delhi Police (P & A) Rules, 1980 has allegedly illegally confirmed the punishment of censure and the name of the applicant has not been removed from the agreed list from the date it was entered in violation of law and principles of natural justice. The learned counsel of the applicant Shri Bhaskar Bhardwaj contended that Rule-25 (b) ibid has been struck down as ultra vires by a decision of the Full Bench of this Tribunal. This fact has not been denied by the learned counsel of the respondents. Obviously, order dated 29.12.98 passed by the

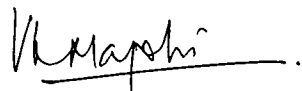
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Commissioner of Police under Rule-25 (b) ibid has to be quashed and set aside and I order so accordingly. 10

2. The learned counsel of the applicant further contended that although the respondents have removed the name of the applicant from agreed list of persons of doubtful integrity w.e.f. 29.12.99 (Annexure A-3), applicant's name should have been removed from the agreed list of persons of doubtful integrity w.e.f. 29.12.98 when it was brought on the same.

3. In the event, when punishment of censure does not survive against the applicant in view of orders dated 13.4.98 (Annexure A-5) passed in appeal against the punishment orders dated 10.11.97 and when Commissioner's order under Rule-25(b) ibid has been quashed and set aside as stated above, applicant's name must also be removed from the agreed list of doubtful integrity w.e.f. 29.12.98 itself when it was brought on the agreed list of doubtful integrity. Accordingly, the respondents are also directed to modify order dated 30.6.2000 (Annexure A-3), to the effect that applicant's name is removed from the agreed list of persons of doubtful integrity w.e.f. 29.12.98.

4. The OA is disposed of in the above terms.
No costs.


(V.K. Majotra)
Member (A)

cc.